

# Legaltech Week Transcript - 6/12/20

[00:00:00] **Bob Ambrogi:** [00:00:00] all right, everybody. Welcome to a legal tech week for June 12th, 2020. This is Bob Ambrogi and, uh, we have, uh, being joined by, uh, a guest this week. Uh Rohan Pavuluri, the CEO and cofounder of Upsolve to talk about, uh, An article he wrote this week, that was kind of in the news. A lot of people were talking about it.

We also have a new panelist joining us this week, Victoria Hudgins from news Victoria, how are you doing

**Victoria Hudgins:** [00:00:40] welcome.

**Bob Ambrogi:** [00:00:42] And, uh, other than that, some of it, some of the usual, the usual panelists are back. Um, let's go around and just quickly introduce each other. Uh, Molly, start with you.

**Molly McDonough:** [00:00:53] Hi, I'm Molly McDonogh. I'm a legal affairs writer and editor and media consultant based in the Chicago area.

[00:01:00] **Bob Ambrogi:** [00:00:59] And, uh, Joe,

**Joe Patrice:** [00:01:01] uh, Joe Patrice from above the law. I'm not in New York, I guess now we're w we should, we should say where we're all from. Cause we're all from all over the place, I guess. Yeah.

**Bob Ambrogi:** [00:01:11] Or Nikki.

**Nicole Black:** [00:01:13] Nicky black. I am the legal technology evangelist with my case law practice management software. I'm also a legal tech journalist.

I write regular legal tech columns for ABA journal above the law daily record. I also write for the, my case blog and I am in Rochester, New York.

**Bob Ambrogi:** [00:01:37] You got one of those great titles. Who's the guy like a week ago or something you've got to have the title of, I get shit done or something like that

**Nicole Black:** [00:01:43] was better than mine.

I sought out.

**Bob Ambrogi:** [00:01:49] That's

**Nicole Black:** [00:01:49] a good one for sir.

**Bob Ambrogi:** [00:01:50] And Caroline, what's your time? Pretty,

**Caroline Hill:** [00:01:53] pretty much. I get shit done to other people might not say that Caroline [00:02:00] and it's a lead lighting designer based in the UK, as I was just saying before, but not

**Bob Ambrogi:** [00:02:11] quite as thrilled that we're doing this earlier this week, because it's not pastor bedtime, which is joining us soon. So, what we're gonna do

today is, uh, speak with Rahan a little bit, uh, maybe maybe 15 minutes or so, and, uh, then go into our regular, uh, round table, uh, on the week's top stories. But, uh, Ohad wrote a really interesting story this week, uh, on, uh, law three 60, uh, on, basically on a question of whether unauthorized practice of law.

Rules promote racial injustice in this country. So we'll have, why don't you just kind of begin by summing up what your, what you had to say about that?

**Rohan Pavuluri:** [00:02:54] Thanks so much, Bob, for having me and for everyone. So [00:03:00] I'm sure this audience all knows about UPL rules in America, that grant a monopoly to lawyers on providing legal advice and, uh, uh, Every day in my job, uh, helping low income families through the process of, uh, accessing your civil legal rights in particular with bankruptcy, I'm exposed to countless, uh, where people in this country that can't afford lawyers, uh, and in our civil justice system, those people don't have the same rights as everyone else.

Because they can't afford the lawyers to help them access those rights. And one of the reasons why, uh, these lawyers are out of, uh, not affordable for folks is because, uh, there aren't enough helpers around and, uh, unauthorized practice of the law rules as they exist today. Constrain the supply of people who can provide meaningful, legal assistance.

And as a result, drive up the price of, uh, uh, accessing, uh, uh, [00:04:00] legal rights in this country. Uh, and I think one thing that's important in this discussion is to be clear that I'm not proposing getting rid of UPL rules in America. I believe in UPL rules, I believe in regulation, but as they exist today, uh, where only people who go to three years of law school and pass that bar exam of being able to provide meaningful legal assistance.

That to me doesn't make any sense. I think it's obvious that we can create other alternative forms of training to vet and, uh, qualify people to provide, uh, legal assistance in certain areas, especially the ones I care about and poverty law.

**Joe Patrice:** [00:04:46] I think you're muted.

**Bob Ambroggi:** [00:04:50] Having all sorts of technical difficulties, our Facebook live just went dead. Um, and I'm just trying to restart that. Um, I thought it was really interesting that you brought that up this week because this also [00:05:00] happened to be the week in which, um, the state of Washington decided to discontinue it.

L L L T legal limited licensed legal technician program, um, which, you know, kind of fed into what you're talking about in the sense that it was a way for people who couldn't afford three years of law school and at the time and expense and everything else to become a licensed legal services provider of a sword.

Uh, I was really disappointed to hear that news. I mean, did you have any thoughts on that?

**Rohan Pavuluri:** [00:05:31] Yeah. I mean, I think that program fail for two main reasons. One, the barrier to entry was way too high. Um, and to one of the reasons their attention was too high is because of wrong people where the regulators, uh,

if you have a Supreme court, um, and a bar association as the regulators, um, uh, then it's obvious that a program like that is destined to fail from the beginning.

Um, so I think that. Uh, those are the main two reasons why a [00:06:00] program like that didn't succeed. And, uh, but I think we learned a lot and uh, in my industry and technology, when something doesn't work out, you don't give up, you iterate. And the vision of the program was in the right direction. Let us create more helpers, make the barrier to entry, lower for becoming a helper.

Let's limit that the people who can provide help to a certain areas of the law that are more commoditized. And, uh, I have no doubt that if they, uh, use what they learned and iterated they'd be able to achieve some successful outcome in the future.

**Bob Ambrogio:** [00:06:38] So anybody on the panel have any questions or comments on this or they want to bring up.

**Molly McDonough:** [00:06:42] I mean, I would just echo that the biggest disappointment for me was the, the abandoning of the entire project, instead of, um, looking at it, looking at what wasn't working and adjusting or shifting to make sure that, that it was less bureaucratic, less, um, [00:07:00] less, Mmm. Complicated to work through and open it up so that the services were meaningful and provided instead of just tossing out the window.

I thought, I thought it was working really well. I thought a lot of good lessons learned. It helped develop sandboxes and other areas that are hopefully going to continue and learn from what didn't work there. Um, and instead of abandoning it just iterate, like Ron said,

**Rohan Pavuluri:** [00:07:28] And Bob, one thing that, uh, I think that, uh, uh, we should, I mean, we don't talk about enough when it comes to civil justice reform is the racial justice component.

That's why I brought it up this week in particular and the criminal justice reform movement. They've talked about how black men are six times more likely to be incarcerated. Um, and, uh, in the civil justice, you serve often talk often talk about socioeconomic. Status, but class and race are intertwined in America due to centuries of pressure and slavery.

And to not talk about [00:08:00] race when it comes to talking about, um, uh, housing or access to family lawyers, um, that is a real problem. And I really think this should be a bipartisan issue. On the right conservative should really focus on how the existing monopoly we've given to lawyers, um, is, uh anti-democratic and that it has, uh, an unnecessary bureaucracy associated with that.

I mean, you have the Koch brothers arguing against licensing laws across the country and, uh, for, for, for things like hair braiding, et cetera, and then on the left, Um, this is really an issue of social justice and to be against UPL reform is to say that you do not believe there is a more creative way to train people, to provide lower cost legal services.

And to me that demonstrates a lack of imagination. If you really believe there's absolutely no way we can rewrite UPL laws, um, uh, in America. Yeah.

[00:09:00] **Caroline Hill:** [00:09:00] Oh, sorry. You're good. Okay. Oh, um, one of the things in the U K so we've obviously got a lot more deregulation in the UK. Um, I'm one of the things that they've done is open up the entry to the profession as well, which I think is essential and intensive.

Um, recognizing. So rather than just having one breach where everyone has to go to the same line, which is, which makes me miss it, it's less likely to be diverse. Actually, if you, if you're a paralegal or a few things, they've now made it possible for you to move into training contract within a corporate department or whatever it might be, they've opened up all these different channels to make it much more accessible.

And I think that's also probably a big factor, you know, in terms of being more all embracing and recognizing, we have lots of different stages as well in terms of the types of. Assistance, et cetera. Um, so I think that, and that champion choppy, I must revisit intensive because that was fairly recent. Um, [00:10:00] but it'd be interesting to monitor that in terms of what impact that has had on diversity.

**Rohan Pavuluri:** [00:10:08] And I mean, we also need to, I mean, uh, unfortunately this is kind of a wonky subject UPL perform. I think it's one of the most important topics in a democracy, um, that, uh, uh, I mean, accessing your rights is a, it's a civil rights issue. I mean, UPL reform is a civil rights. And, uh, it's a shame that, um, we haven't brought it to the forefront of, uh, our national dialogue and that's something I'm obviously trying to do.

Um, but, uh, it really limits the amount of democracy that some people get. Um, because it limits who can actually afford to access their, their rights. So, um, I really see a UPL reform, um, in this specific moment as potentially rising in international dialogue. That's my hope.

**Caroline Hill:** [00:10:58] Did you get much, [00:11:00] obviously, if it's, you're talking about your, your obstacle, has that been anything, you know, what sort of feedback have you been getting, do you think it's always obviously been helpful and raising the issue?

Is there any kind of reaction that you think has been really helpful?

**Rohan Pavuluri:** [00:11:12] Yeah, I mean, I am very hopeful, uh, opportunities in Utah and California. Obviously people are talking about those right now. I had a chance, uh, yesterday to talk to one of the committee members of the Utah. Reforms that are going on and hoping to get more involved in trying to be helpful there.

Um, I think, uh, one of the challenges is of course, attracting people to provide these alternative forms of legal services and figuring out a way to encourage that at scale is also an interesting operational problem that requires strong leadership in each of these States. It's not like you can just change the rules and overnight.

All of these alternative service providers are going to show up. Um, you need to encourage that as well. And maybe that's when one of the issues with what happened in Washington. Now you can, it's [00:12:00] not, if you build it, people will come. If you change the laws, people aren't going to come. Um, uh, and you need to encourage, um, uh, alternative providers.

**Nicole Black:** [00:12:10] I am a little conflicted on the UPL amendment

**Caroline Hill:** [00:12:14] and I come from.

**Nicole Black:** [00:12:16] And this is why I was a public defender for years, and I was on the board of Monroe County, legal assistance for years. And the Monroe County legal assistance Corps provided, um, people of low income with civil serve, uh, with, um, access to the civil side of the criminal justice system and free attorneys if they qualify through that.

Um, now, so I've always felt like. It's the government's responsibility to provide this. But the problem is that what has happened even under Obama, because the Republicans had the majority in the Senate, they have essentially defunded LSC. So that's, that's the problem. That's the way I think it ought to work.

But the [00:13:00] problem with that is that. It is a political issue. And as a result, you have, you can't have access to justice. And even then LSE did not provide incredible access to justice. It just felt a small gap sort of, or a large gap sort of, but you know, at the end of the day, um, that's, the problem is because it is a political issue that access comes and goes depending on who has political power.

And that's the problem with that. But I still think that. That's the way society should operate. There should be access to justice for everyone. And I guess the innovation is how are we going to fill these access to justice gaps without relying upon this way of political? You know, opinion and thought. So, I mean, I, but I still sort of fundamentally believe that's the way to do it.

It's just not working. Cause that's

**Rohan Pavuluri:** [00:13:47] my, my, my view is it'd be great. If everybody could have a lawyer, I see that as a political non-reality. So we need to think creatively around how to address the problem. And, um, I think there's [00:14:00] another, uh, a solution that's tied in my mind with UPL reform, which is redesigning our courts that serve low income people around the assumption that people won't have lawyers.

I actually think it's such a crazy thing that we've designed. Housing court bank, consumer bankruptcy courts, consumer debt collection courts, uncontested divorces around the assumption that people can afford lawyers. When the majority of people, for example, are filing for bankruptcy or have negative networks that are in the tens of thousands of dollars.

And how crazy is it that we expect people to be able to pay for lawyers when they're in tens of thousands of dollars of debt. And that we haven't even thought twice about how that system might be reformed. So we need to redesign our court system around the assumption that people are going to be pro se because that's the reality.

Um, and, and I, I feel very strongly about that as well.

**Molly McDonough:** [00:14:49] Well, and I'll just add to that, to the redesign. It's, it's more about looking at, you know, where. Solutions, um, get [00:15:00] bogged down into the system. And a lot of it is at those earlier stages that aren't designed

well and open and open enough. And so if we kind of, if we, if the courts themselves opened up the processes to make them less complicated, more accessible,

**Rohan Pavuluri:** [00:15:15] um,

**Molly McDonough:** [00:15:16] automated forms, Easy to use tools, um, in multiple languages in plain language and with navigators to help people through that process, then, you know, it frees up the courts and lawyers to take on that high skilled.

Um, work that ends up being disputed and that's a fraction of what we see actually go to court. So, but yet the courts are bogged down with hearings and status checks and these complex processes that just don't don't aren't necessary.

**Rohan Pavuluri:** [00:15:52] And, and I, I, I think I want to be clear, especially when it comes to the conversation in the last few weeks, I think, and [00:16:00] my own experience over the last three or four years running up solve is that there's a great degree of elitist, um, and racism.

Um, and, uh, I really do feel that. Uh, part of the reason these changes haven't taken place is because legal profession itself, um, there's this prestige and lead TISM, um, intertwined with becoming a lawyer in America that, um, people want to hold on to, um, and, uh, to the detriment, um, oftentimes of, uh, poor people and black people.

Um, and Brown people in this country.

**Bob Ambrogi:** [00:16:35] Wow. There was a question from somebody who's watching, uh, asking what changes should have been made to the LLT program in Washington to make it useful for providers and to consumers. The rules in place sounded onerous as they were. I think that point is kind of already been made that the rules were owners, but what changes should have been made to it?

Do you

**Rohan Pavuluri:** [00:16:53] think. Yeah. I mean, I think number one, reducing the entry. I think there's a certain number of credit hours and [00:17:00] work hours that nobody in their right mind, if they care about their own feeding, their own family would have a failed. So that's number one. Um, uh, in my mind, and then number two is, uh, in my understanding is that it limited it.

So only one area of the law. I think it was only family law and I'm opening it up because you always need to think from a, I mean, a market perspective, like what is going to make this attractive for the helpers as well. Um, and, uh, because they're going to need to feed their own family. So I don't think their approach is pragmatic enough.

Yeah, that

**Joe Patrice:** [00:17:33] strikes me. One of the, one of the problems with limiting it to one area of law is, and this is a problem. I have a lot of times when in the media business too, when people want to do a new thing, uh, the answer is not do a lower

scale version of what you want, but instead to build a part of the thing you want, uh, the, the difference between I want to build a luxury car.

Instead of starting with a bad car, you start with why don't we get in [00:18:00] the actual business, which doesn't really give you enough to build on or to see whether or not you're succeeding. And when they decided to just be limited in practice area, like that means you don't get the opportunity to get people coming in from different vectors.

You only people who are interested in that one thing. And that means it's a small enough sample. It's always kind of destined to not get the results.

**Rohan Pavuluri:** [00:18:23] Right. And that's, I mean, uh, and that's sort of, one of my fears in Utah is, uh, just like a small population. Um, there's a risk of there being an innovative solution, but just the fact that it's in a state and it's in a small state.

I mean, that's one of the big problems with, uh, legal tech innovation in America. I mean, B2C. Consumer legal tech, which is specifically my field. And one that I care deeply about. I mean, one of the reasons is there's so many different state by state differences and all of a sudden when there's these UPL differences that are state-by-state and you subject yourself to regulators in every state, I mean, what entrepreneur in their right mind, who's trying to make a big impact on the world is going to [00:19:00] choose consumer legal tech as the, as the place.

Um, so, uh, uh, I, I see just, uh, unless States are working together, moving forward, there's going to be problems in attracting entrepreneurial solutions.

**Bob Ambrogi:** [00:19:13] And ironically, there were proposals pending in Washington to expand, uh, the triple LT program into other practice areas. It was housing and maybe consumer data.

There was one other one, I forget what it was. Um, and, uh, that also probably would have helped address. The budget issue. Cause part of the issue here was just the cost of running the program and the more practice areas you're in, the more people you can attract to the participating in the program and the less, the less strain on the budget you would have.

So well, anybody have any other questions for Ron before we let him

**Rohan Pavuluri:** [00:19:50] go? Well, I

**Bob Ambrogi:** [00:19:53] really appreciate your taking the time this morning to be with us and share your share your thoughts on this was a really great article, really provocative. I'm [00:20:00] glad I was really like seeing it sort of reframe the UPL issue in a way as a, as a racial justice issue, because it's so often an access to justice issue, which is not, they're not separate things, but it's a different way to think about it and look at it.

I thought that was

**Rohan Pavuluri:** [00:20:14] great. Two last question. Um, uh, one part of the article was about the lack of, um, black and Brown people in the legal profession. And I like to pose the sides for him. I mean, do you think our system would exist



this way? If there were, um, uh, uh, fewer white people and more black and Brown people from specifically socioeconomically disadvantaged backgrounds.

I mean, I have no doubt. We'd have a different system today. If the legal professional is more diverse in that there lower barrier to entries to the legal industry. Um, and then the, the second thing is, um, uh, and this year helped me frame it for myself. Uh, if I have a mom who's been sued by a debt collector, I need somebody to represent her in court.

My more likely to want her to [00:21:00] be helped by somebody who's done specific training module for debt collection lawsuits. Um, and is it social worker by training or am I going to want her to be, um, represented by a, uh, uh, a lawyer who just passed the bar and it has no specific trainings Googling around to learn about debt collection, um, and, uh, I think for me that just helps me grasp that there is an alternative to our current system.

Um, we just need to find it and fight for it. So thank you so much, everyone.

**Bob Ambrogio:** [00:21:35] Thanks. You can either leave or if you want, I can change your role to an attending. You it'll watch the rest of it, but, uh, thank you so much.

Because he didn't want to watch the rest of us were so fascinating. Um, so, well, alright. So, uh, we, you know, usually, [00:22:00] usually we, we talk in advance about some of the stories that we want to, uh, Throw around here on the round table. We haven't really done that this week, so we can surprise each other a little bit, but a free for all.

But, uh, since Victoria is a new to our panel, let's uh, sure. I give you the honors of, uh, kicking off with, uh, something that was something in the news that struck you this week. What were you looking at?

**Victoria Hudgins:** [00:22:25] Yeah, definitely this week at ALM, which is the parent company definitely been covering, um, just how the legal industry is in, in a bubble or in a vacuum, like the protests going on in United States and internationally, and how law firms are adjusting and responding to it.

And it's been kind of interesting to hear some black lawyers provide like how they responded

**Rohan Pavuluri:** [00:22:50] to

**Victoria Hudgins:** [00:22:51] law from seeing how they. Want to promote diversity and inclusion. And an article that I wrote this week looked into mostly. [00:23:00] So, uh, practitioners and lawyers are small law firms that decided to use social media.

Twitter

**Nicole Black:** [00:23:08] or Facebook

**Victoria Hudgins:** [00:23:09] to post that they would provide pro bono services to peaceful protesters that were arrested. And a lot of their tweets and posts post went viral and it's, and I talked to them about, what's kind of been the impact of



that. And mostly they said that they received positive insights or positive feedback from people and a few clients and also kind of like ugly backlash.

And I thought it was interesting and everyone was just kind of. They would say usually that was a misconception of who they were providing services for. And some people were just saying like, Hey, you're providing services to looters or bad guys or something like that. And I thought it was interesting

**Caroline Hill:** [00:23:47] just talking to the lawyers

**Victoria Hudgins:** [00:23:49] about like balancing their workload and why they decided to offer the services and put that out there through social media and everyone pretty much, even if they had a little bit of [00:24:00] backlash, everyone seems.

They seem like they still wanted to continue to do the work. And I thought it was kind of interesting. You see, in a big large law firms kind of saying like, Oh, we'll put more money towards matters and initiatives. And these lawyers taking it out of their time to like provide pro bono services. That's kind of interesting to see

**Caroline Hill:** [00:24:22] initial response.

**Bob Ambrogi:** [00:24:24] Yeah, I think that's really interesting. It's I mean, it was it's, it's always interesting to see how loft, how social media can be used by lawyers in that way. I was thinking back as you were talking to the early days of the Trump administration, when, when there was a first wave of immigration crackdown and, uh, Twitter became a, uh, a very powerful tool for connecting lawyers and others who were trying to help out, uh, around that.

And I don't think there was the backlash at that time. It's interesting. Or maybe there was, maybe I was just tuned out to it, but it seemed to be much, [00:25:00] much more. Yeah. Sort of just generally well received as a vehicle for connecting lawyers and getting them to the front lines to be able to help people.

**Victoria Hudgins:** [00:25:10] Yeah, I did kind of notice that with the large law firms, um, it definitely did make announcements to their staff and lawyers about what's going on and you know, we're going to promote the racy initiatives. I know, I think it was one of the larger law firms. I can't remember the name, but he said he wants to put together like a consortium of big law and legal service providers to provide like pro bono services.

But I thought it was interesting that it was the lawyers in the small firms, regional firms that decided like, Hey, I'm actually going to put my resources towards helping people that are, that were peaceful protesters that were arrested in their area. So that it was interesting.

**Nicole Black:** [00:25:51] Well, it's funny that, Oh,

well, it's funny that you leave. I just think it's funny that you even mentioned that [00:26:00] because I just got an email this morning from. I'm a lawyer in Western New York and Buffalo, which is an hour West of me. I'm in response to my above the law article, which I wanted to talk about later. But that was, it was about, um, information for protesters to help them protest and preserve the rights.

And he was letting me know that he records, he represented what was willing to represent people, protesters for free. And, um, so I shared that. I want to. Rochester, New York rallies page where I share information about all the rallies. And so I posted that on there so that the people that get arrested will know, but it was, it's funny.

They mentioned that cause I there's someone right in my area, that's doing that. They wanted to make sure that I knew about it as a journalists so that I could share the news. So it's so interesting to see. Mmm. It's great to see lawyers willing to use their skills in this way, pro bono to help, you know, move this effort along and yeah.

Support it. So at the end, I think it's great that you've highlighted that in your story too, because that's, it's an important way that lawyers can make a difference.

[00:27:00] **Caroline Hill:** [00:26:59] So, I think so what I was going to say, so it seems like, I think we said last week that anything's better than silence. And a lot of law firms have been making statements and talking about racial diversity, which is good, but, and then they're talking about pro bono and don't and giving more money to organizations, but we're just wondering what you've seen in terms of, um, making commitments.

So you did a really interesting survey of the top 50, or maybe that was, that was the UK. Oh, I'm of note a competitor or where I showed that the statistically, the top funds in terms of racial diversity have less than 5% of people of color, um, within the firm. And I was just wondering if you've seen much into defense committee to metrics for themselves and their tons of diversity metrics.

And then I've started to put you on the spot, but this is something that I'm rushing right now. Um, and just looking at. Or whether that's very well to say about we're going to do more pro bono work, but actually I fell it. They're not [00:28:00] turning the microscope on themselves and not forgiving. Right. We really need to make some serious commitments right now.

No, because I don't think it's enough personally, just to donate more. I think they need to really start to make sense. And we talked about this last week in, in, in the panel, um, about how the need short term and long term veterans, and I'm really struggling to find any measure metrics when it comes to racial diversity.

Is that, am I just missing it?

**Victoria Hudgins:** [00:28:22] Yeah, that is something like when I first saw it, like the roundups of responses that law firms were making, um, they weren't, and I can understand why they may be don't. There may be hopefully putting together the plans of like how they're going to be facing inward in their firms.

And like the diversity issue is, um, in their firms and kind of like black lawyers coming into the firm and feeling isolated and, um, leaving the friends because they feel like it's, um, There is no way for them to be promoted and to be really a part of the firm. Um, I really haven't seen that yet. My hope would be that they would just say, we're not just going to write a [00:29:00] check and say like, Oh, we have a diversity officer and not arm them with, um, actually keep keeping people accountable, the managing management level.

Um, I think that's something that needs to happen. And I think hopefully it isn't just getting. It doesn't just get lost in kind of like, Oh, this is a police brutality issue.

It's

**Rohan Pavuluri:** [00:29:18] more of an instructional

**Victoria Hudgins:** [00:29:19] racism issue. And that includes working environments and law firms, like a lot of, um, job industries.

Haven't been the most, um, welcoming for diverse talent. And I think that's something that law firms hopefully will start to say, okay, we need to be more concrete on what we're going to do and what our steps are. So I'm starting to see it. I think I saw a local firm in Philadelphia. They, I think hired a chief diversity officer.

So hopefully that's something that you see more of and they're actually able to implement concrete steps to make black lawyers more, feel [00:30:00] more encouraged and welcomed and feel like they can build their book of business and felt like it's not a dead end. Just being an associate in big or mid sized law.

**Nicole Black:** [00:30:08] Well, Victoria, one thing, one thing that I've noticed that a lot of the, um, protests I've gone to is this. It's not just fill the quotas, but it's put black people in positions of power on the, on the firms that make the decisions or on the committees that make the decisions in the firms and provide them with promotion paths that don't just, um, so they're not just stuck at the bottom.

Do you, are you aware of any firms that have actually. I mean, I'm guessing the answer is no, but I wish it was not, no, but I've actually provided, um, commitments to do that rather than just quotas or create diversity committees.

**Victoria Hudgins:** [00:30:47] I haven't seen that yet. My colleagues, maybe on the business of law, they might have a little bit closer on that topic.

But, um, I know, um, a few months ago when, um, I saw an article, I believe on the American lawyer [00:31:00] where they were talking about with COVID-19 and the recession could diversity, um, strides that law firms, some law firms were making. Could that go away when budgets are starting to tighten and. I read that some of the chief diversity officers in the few friends, they said, no, because you know, of course, diversity dips after the great recession, but we think they have more concrete plans.

So I think it's still up in the air of what big law will do and kind of like turning the mirror on themselves and saying like, okay, this is an issue that we have. And it's something maybe that they need to look into, like the law schools that they're recruiting from. Um, making sure when they have like these mentorship programs, is it really doing anything?

Are they making sure that they're putting their black associates in front of clients and building their book of business? So I think it's hopefully something going on. I haven't read about it yet, but hopefully.

**Caroline Hill:** [00:31:54] Sorry. Go ahead.

**Bob Ambrogi:** [00:31:55] Go ahead.

**Caroline Hill:** [00:31:56] There's interesting stuff coming from clients. I think some of the pressure's going to come, so obviously [00:32:00] we've talked about it.

There's been some stuff about Intel. So Intel now said that by 2021 going that way with that rule. But so, so it might be 22. I think it, I think it's really wrong, but anyway, they, they, they, and they've given a concrete divest that they expect to see this, this percentage of women and this was entered, um, people of color or, um, Did they get this thing?

I think you talk about if they want it to

Um, and I think that's the right way forward, but I think that the orphans just not doing. And often they need pressure from the people who pay the bills. And I think that Microsoft really quite impressive program where they have several metrics within the account in terms of the people that were working on a, not on a matter.

And they grade the grade, the law firms follow these metrics, and then they've made this. And I think that that more clients should be doing that because actually that's where the law firms will really start to take [00:33:00] notice. They're not doing it themselves. I think the clients have to drive. Drive it forward.

And obviously some of them are, but I think that needs to be something that there's much more collaboration. I'd quite like to see some kind of group where there's a way of gender, maybe this exists and that kind of collaboration when people who pool their ideas and pool that I think this was a strength in numbers, aspect of this as

**Rohan Pavuluri:** [00:33:23] well.

**Bob Ambrogi:** [00:33:24] Yeah, I'm going to, I'm going to move on to the next one only cause I know, but both Molly and Nikki have other other programs to get to after, after this is done by did it just want to point out I just dropped a link, uh, uh, of an article that was on Bloomberg law this week that looked at some of the statistics around diversity in the.

If I should pulling from a us Bureau of labor statistics data and a few other sources, but, you know, it's, it's pretty much as, as bad as you would think. I mean, it's, uh, it says 80% of those in legal occupations, which is a pretty big term, uh, are [00:34:00] white and, uh, 10.6% are black and, um, Asians are 8.2% and then it has some other statistics from some other sources as well.

So, um, Molly. I know you have to get off early and I wondered if you want to, uh, be next up and talk about what, uh, what was in your mind this week on your mind?

**Molly McDonough:** [00:34:20] Sure, sure. So I'm offline, we've talked a little bit about this. I, the university of Pennsylvania, they're actionable intelligence for social policy program, uh, released a new toolkit for this is new for me.

Um, centering equity. Um, I I'm big into, I understand putting a, um, equity and diversity in context, uh, and racial, um, in terms of data. Um, but their, their focus in this report is on centering, uh, which is really based on understanding where the

data, how the [00:35:00] data is collected and how bias is worked into the data collection at its root.

Um, And so I thought it was really one of the things I like about it. Um, they haven't promoted it much because it came out right in the middle of all the, um, uh, demonstrations and protests. Um, it takes a really strong stand on race. And I thought that was, I thought that's important. I thought it actually is more timely.

Now this isn't in response to the demonstrations they've been working on this report for two years. Um, and one of the reasons I think it's important now is that because of the pandemic, we've seen so many organizations, especially government entities in courts, I'm starting to really very quickly implement technology solutions and data-driven solutions.

And this is at a critical time to take a look at when you're using data to drive decision making that it. Uh, [00:36:00] is, is, um, that you understand where the biases are. It's not that it can't be useful, but you have to make sure that you understand and as they put it center your data, um, so that you're not using it in ways that are punitive or, um, Or lead to unequal treatment and unequal distribution of benefits say, or, um, um, or in the case of law enforcement, um, you know, penalizing African Americans and minorities because, um, because the data has a lot of.

Uh, racist, um, um, history in how it was collected. So I just thought that was a great, it's a, it's a really helpful, useful tool kit, really long with a cross section of stakeholders from government and, uh, educational institution.

**Bob Ambrogi:** [00:36:57] If you happen to have the URL for that, they are the [00:37:00] URL that was in an email that you sent around about that.

For some reason isn't working for me, I'm getting a four Oh four message when I click on it.

**Molly McDonough:** [00:37:07] Yeah. I think I actually, I talked to one of the authors yesterday and I think they same for me. They took it down briefly because they found a

**Bob Ambrogi:** [00:37:15] typo. So

**Joe Patrice:** [00:37:21] did that. We'd never get anything done.

**Molly McDonough:** [00:37:30] It is a PDF.

**Bob Ambrogi:** [00:37:50] Nikki. I know you also have to go do a three hour, three hours of, uh, speaking this afternoon. So, uh, what we'll, let's warm up your, uh,

[00:38:00] **Nicole Black:** [00:38:03] Um, well, what I really been focused on a lot is, and I wrote about this from my above the law column this week is the intersection of law and technology in terms of surveillance. And they use that law, uh, law enforcement, um, the way law enforcement is using technology at the protests and the different methods.

And, um, Tools that they're using to surveil protestors to, um, gather information to arrest protestors and also alleged looters. Um, and it's amazing the amount of,

um, Tools that they're using, you know, there's the physical tools, there's the drones. There are those poles where they, when I organized the post inauguration rally in downtown Rochester, at that point in 2016, they had these polls where they had cameras on top of them.

So rather than having law enforcement right there at our protest, there are one or two officers, but they had those poles to make sure nothing went [00:39:00] South. Um, With cameras on them now that they have drones. So when I was at a black lives matter rally last weekend, there were a number of drones and one of them came down very low.

Once we all settled in one spot, um, and really annoyed a lot of the protesters, cause it was pretty low and invasive, but. In addition to those, they're also using, you know, license plate readers. They're using social media to try and track protesters and get information they're using,

**Rohan Pavuluri:** [00:39:26] um,

**Nicole Black:** [00:39:27] uh, other sorts of, um, data from cell phones that they collect, um, because at some sort of tool I wrote about it on.

Uh, the above the law posted the idea was to give protesters that I give the tools that law enforcement is using how to lock down their phones. That's another thing that's really important is learning how to secure your data, your information, how to stop, um, sending information, geolocation data from your phones that might help law enforcement.

Um, and, and my perspective is more help them unlawfully, extra, you know, uh, Unlawfully, [00:40:00] um, restrict the right to protest. That to me is the most important thing, you know, they're restricting the right to protest, it's our constitutional right. And so I think it's important to secure your data so that they don't get information unlawfully from you.

It can be used against the protesters. And so I provided that information, um, But I, if they, you know, I think it's all this surveillance they're doing in the militarizing of the police is it's unbelievable to attack people that are peacefully protesting about a really important issue. And so the other thing I just wanted to mention was, um, I linked to a video.

Um, we have a lawyer in Rochester who represents protesters and I link to a video that we'd recorded right after the election, where he provided information to protesters about your rights when you protest and how to protest lawfully, or at least understand what that means and understand when you're crossing that line and make cross that line knowingly.

And, um, I also linked to, uh, I just had a birthday and I, um, [00:41:00] For the first time I ever did a fundraiser for the bail project, which, um, it's an intense too Mmm. For, you know, address the. Biased use of bail in the criminal justice system by bailing people out. And so my raised almost \$3,000, I just wanted to throw this pitch in there.

I'm I'm like 175 off for my \$3,000 goal. It was initially a thousand, but I raised that in about four hours. So I pushed it up to 3000, but I'm still a little bit short of that.

So there's a link to that fundraiser, if you want to. Donate to it. It goes right to the bell project. I'm just the go between through Facebook.

But I just, I just think it's super interesting. All the tools that the police are using. To prevent people from exercising their first amendment, right. To protest. And it's a little offensive.

**Bob Ambrogi:** [00:41:46] And also to go back to what Victoria was talking about a little bit, there was a story this week, this suggested they're also watching your Twitter accounts.

So there was a story out of Portland, Maine, where somebody had posted on Twitter about sort of in favor of defunding the police. And [00:42:00] next thing he knew the police were showing up at his door with an arrest warrant over some misdemeanor. Graffiti charge or something. And they, some of the, some of what they said to him suggested that they had in fact been aware of what he'd been posting on Twitter.

So who knows?

**Nicole Black:** [00:42:16] Oh, the other really important aspect of that is which I hadn't thought about that at the first protest they went through for the second protest, I was aware of it as blurring faces out of the photos you take to show on social media. Oh see you next week. Um, but, uh, The signal offers a tool to do that, the signal messaging app

**Bob Ambrogi:** [00:42:38] so that you can,

**Nicole Black:** [00:42:38] before you post a social media, blur, faces out of that.

**Bob Ambrogi:** [00:42:42] Yeah,

**Caroline Hill:** [00:42:43] thank you. Did you say you've posted a link to your hundreds

**Nicole Black:** [00:42:45] and I can't see it on

**Caroline Hill:** [00:42:46] that. You're going to place it in the chat.

**Nicole Black:** [00:42:48] Oh,

**Caroline Hill:** [00:42:49] I'll do

**Nicole Black:** [00:42:51] I'll link to above the law. Um, and at the very end I'll link to my fundraiser too. I'll link to the fundraiser and above [00:43:00] the lot in, um, the

**Rohan Pavuluri:** [00:43:02] momentary.

**Joe Patrice:** [00:43:03] Well, you know, w while, while she's working on that, I'll, uh, share my favorite.

Um, the government is monitoring your Twitter story. Uh, I don't know if people saw this, but a, I believe it, I believe a journalist, uh, tweeted something out saying if I mysteriously disappear, this is why. Um, and what he had done is reached



out to the official CIA account saying that he had information on the communication.

Devices that Antifa uses to keep in contact with each other, uh, and they needed to follow him so he could DM them. Uh, the CIA official account immediately DM followed him, uh, and asked for the stuff over direct message. And he responded, yes, they are utilizing some sort of technology called up dog and they responded with what's up dog.

He said nothing. What's up with you to the official CIA account. Uh, He posted it all on Twitter at that, I [00:44:00] don't use the word hero very often, but

**Bob Ambrogi:** [00:44:04] that's good. That's good. You got any other stories this week, Joel, that you want to talk about?

**Joe Patrice:** [00:44:09] I mean, there's been a lot of random stuff like that. Uh, we have dealt with more, uh, bar exams, forcing applicants to sign with legal waivers, uh, that they, uh, won't hold them responsible when they all get COVID after.

Packing into a convention center in July. Um, so that's a thing we've gotten more statements from law firms, uh, as we were talking about earlier, all these, uh, social media statements, which, uh, kind of to go on to that, uh, one of the trends that we're noticing of those statements is that it's going to spark some view of what on Twitter is being called.

Like the hashtag this, you. Backlash of people who have had negative experiences with those firms [00:45:00] go going really? Wait, where was this? All this love of racial justice. When I got treated the way I did and that that's developing. And it's . It's going to be an inflection point. I think for a lot of the firms, because I feel, especially with issues like this, that a lot of firms and by firms, I'm just going to generally say white people have a sense that a sense that these issues don't exist on a spectrum.

They feel as though if I've said I'm for racial justice, that's the end of the inquiry for me. Uh, I've done it. I'm, you know, there's, can't be anything else I can do. Better than to say that. And I think it's going to, and when they're called out for other stuff, they tend to go insular and defensive and lash out at the idea that something's wrong.

And I think this is the next inflection point that these firms are going to face is when they, after these statements of support, [00:46:00] they get flagged for various. Microaggressions. And so on that they've done over the years, are they going to become defensive or are they going to remain open to that conversation about what they can do better?

Uh, and so that's the other friends that we've been following throughout the week? Um, yeah, we've been all over the place this week.

**Bob Ambrogi:** [00:46:21] Yeah.

**Joe Patrice:** [00:46:23] Yeah, but those are the two that are kind of relevant to this conversation. I don't think anybody cares about my Michael Flynn coverage.

**Bob Ambrogi:** [00:46:31] Somebody does,

**Joe Patrice:** [00:46:32] right. It has fewer legal tech angles to it.

**Bob Ambrogi:** [00:46:37] Yeah.

Any comments,

**Joe Patrice:** [00:46:41] did you follow that? No, I have an audience now. Uh, he was banned from using his computer because he couldn't have anything that connected to the internet and the government filed this really bitchy, uh, Motion saying, Oh, it looks like he participated in the drafting of some of the [00:47:00] filings in his own defense.

That means he must have had a computer. Uh, we need him like, yeah. And they tried to get an inquest going and the judge was just like, give him a computer with software on it. So he can't go on the internet, just get this out of my face. But, uh, that, that was a tech tech story of the week. That's interesting.

Yeah.

**Bob Ambrogi:** [00:47:20] Alright. Well, how about Caroline? How about you? What do you got this week?

**Caroline Hill:** [00:47:22] Um, yeah, so we'll catch him. He said, so, um, if I might just do a little short one again about zoom, about new vulnerabilities that have been identified and what was more interesting? I think the, my story, which was just. The King yet, something that Cisco, um, found, wrote about, um, sorts of web security vulnerability with some of the feedback that I got after I got quite a lot of people coming back to me saying, what have you got against you?

Right. And someone's, it's almost like saying you go to agenda to try to promote teams or whatever. And I was like, actually, what? That's interesting. Cause you have to listen, you know, perhaps, perhaps, and they will [00:48:00] say, well, look, you know, It's quite a few people actually have come back to me and said, I don't think there's enough positive coverage and the amazing stuff.

We've always talked quite a bit about in a few weeks until we come up disproportionately, not often, but yeah. Um, I think that's an interesting thing that there's, um, the, the reaction was more of interest to me that then I can really say, we really think that this is saving our life. You know, what, if you can sit on, like I can just fix, you know, I know she mentioned that the thing that, the thing thing about the article was that, um, the whole point of the article was that you need.

um, it's doing it's in patches. Um, that it's, you can't just rely on that, that you need to make sure you're using the latest version of the software. And there's some assumptions that use with the students facing stuff, but actually you need to make sure you've got the legend or else or else the vendors, or you might protect without saying, but, um, perhaps the obvious to [00:49:00] everybody, um, does a new app.

To help people get back to the office, which is like the kind of space, um, design, um, out from slip platelets, which is really interesting. Um, they can kind of create zones or different tools and work out who's in who's out. And then you go get in, um, Without, without, you know, you see sort of scan, scan a QR code to get in, and a lot of interest in that from Norfolk too.

Although some people say they're going to continue to work from home, obviously not really working out how the hell they, they say meaningful social distancing and who say. Monitoring in terms of if somebody gets sick. So then they'll have, they're now into the weeds of rethinking about how they're actually going to achieve this movement, which is interesting.

And I keep them taking up new jobs, which is quite an interesting time. And to me, you know, I think the thing that we're kind of getting into that knocked down it's normal. It feels like [00:50:00] there's a bit more movement in the jobs market. People, obviously there's. But obviously I'm not suggesting that things like that, but actually there's not a movement you're agreeing,

which is great. And not necessarily all the karaoke crew will be a fan of that. Um, yeah, no, it was great to see, you know, it's nice to see positive, you know, it's been. It's supposed to be like, it's been smarty down to moose in the UK trading. McKenna's left galleys Kennedy. Um, um, yeah, a nice, consistent, and it's been this, but it's been, at least felt like quite a normal week.

**Bob Ambrogi:** [00:50:44] Yeah. Yeah. I thought the, uh, one, uh, piece of news this week that kind of, uh, w was more consistent with the times, but something we all saw coming was was that a. Ultra con will in fact be virtual. I mean, I think we all knew that was [00:51:00] going to happen, uh, but they, they made it official this week, um, and, uh, promising, uh, bigger, even better all virtual environment.

Um, One of the big conferences of the fall that we haven't yet heard from officially on that is, is the Clio con conference. Uh, which I know Nikki is one of your favorite conferences to go to.

But, um, I was, uh, I was on a webinar with Joshua Lennon from Cleo this week. And, uh, He did say there's going to be news coming very soon about the state of the Clio con conference. So I'm guessing we're going to hear shortly that they're going to decide to have that be virtual as well. But what I'm seeing actually in, in, uh, in Europe, uh, that some conferences are now trying to.

Start back up as physical conferences for the fall. There's one in Prague in September that I was scheduled to speak at, I guess, uh, I don't know whether I could get there, but, [00:52:00] um, they're, they're gonna make a go for doing a live physical conference. So

**Nicole Black:** [00:52:06] I was just talking to someone else about this one.

Was you personally be comfortable going to a conference like that? I

**Caroline Hill:** [00:52:16] mean,

**Nicole Black:** [00:52:16] granted it's fluid, right? Like you never know what it's going to be like, but I feel like I'm not there anytime soon. I don't know. I mean, I'm wondering about like legal tech and tech show next year. Like I'm wondering if those are going to go forward.

What do you guys think?

**Joe Patrice:** [00:52:30] So I'll say this, and obviously you don't know, uh, what, what all's going on. But I have been a few people have told me that, uh, who work

in government adjacent jobs, uh, that CDC officials are briefing them, that they should plan on February being all clear, um, that they believe they will do that.

The CDC for what it's worth reportedly is saying to. Uh, officials that they [00:53:00] expect vaccine distribution to begin in December and to be all clear in February. So that's, that's what the CDC is telling universities and state. So who knows whether that's true, obviously they can be wrong. Um, and I'm, you know, that's just reportedly what I'm hearing from you and from the academic sector, but yeah.

Yeah.

**Bob Ambrogi:** [00:53:22] I went to a restaurant last night for the first time in three months or something, so, and it was had to sit outside and it was cold as hell. Cause it was raining and that a roof over us, but it was the. Yeah,

**Caroline Hill:** [00:53:34] that's amazing.

**Bob Ambrogi:** [00:53:36] Yeah, just this week they opened some restaurants for only outdoor outdoor seating in Massachusetts.

So

**Joe Patrice:** [00:53:42] we are outdoor seating. We're outdoor seating for now, but I think we're scheduled my area's scheduled to go indoor like next week. I think. Yeah.

**Nicole Black:** [00:53:53] So today

**Joe Patrice:** [00:53:55] you guys are today,

**Caroline Hill:** [00:53:56] which ally? I think they've said not til sometime in July [00:54:00] that pop, pop, pop. What did you make of filters you found? I mean, I thought it was interesting.

I'm so fascinated to see how is it that they've obviously talked about the social events online and creating. They're trying to try to emulate some of the. Stuff that we know Superman about ultra tends to the network, the social stuff. I'm just going to already, I can't wait to see how they do it, you know, but some of the stuff that they were talking about, um, just the drinks, the taste, I think they would mentioned the not tasting to them.

I might be, or maybe I met that up. It's like all these kind of social things. I'm not how the hell are we going to achieve that online? I hope I hope that we can, because everyone's going to be really sad and I'll just go ahead. But.

**Nicole Black:** [00:54:44] Yeah, I'll talk to him about this another week.

**Bob Ambrogi:** [00:54:51] The ones I've been to, it's been the whole networking part of it is kind of a, been a fail so far. Uh, the presentations are good and it's nice that [00:55:00] you're able to open it up to a lot more people who wouldn't be able to attend the physical conference, but as, as a networking event, it's it ain't the same.

I got to say.

**Caroline Hill:** [00:55:08] And it's great. I mean, that's, what's so fascinating is I haven't seen with other conferences that they have, but I actually miss what you're saying about TA, which we still didn't really talk about, which is when you have your avatar platform. So I haven't yet

**Rohan Pavuluri:** [00:55:22] played around with, but

**Bob Ambrogi:** [00:55:24] we didn't get to wish we had a question on Twitter about.

What is the preferred way for companies to present a potential story or get a new product solution covered. And I guess in other words, how do you like people to pitch stories to you is basically the question, but we are running, we are our guy going on an hour here, and I think we need to call it quits.

So maybe we can make that top of list for next week and give Jason an answer to his question that he posted on Twitter. But

**Rohan Pavuluri:** [00:55:51] yeah.

**Caroline Hill:** [00:55:53] Sounds good.

**Bob Ambrogi:** [00:55:57] Alright. Well, thanks. Thanks everybody for participating again. [00:56:00] Thanks everybody in the audience for listening and we'll be back next Friday at a time to be determined.